

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

LIONEL WILLIAMS,

Plaintiff,

DAVID LONG, Warden,

Defendant.

CASE NO. 13-CV-2676-LAB-DHB

ORDER ADOPTING REPORT & RECOMMENDATION

16 Williams filed a habeas petition pursuant to 28 U.S.C. § 2254 on August 9, 2013.
17 Pursuant to 28 U.S.C. § 636, the petition was referred to Magistrate Judge Bartick for Report
18 and Recommendation ("R&R"). Judge Bartick issued his R&R on August 26, 2014,
19 recommending that Williams' petition be denied in its entirety. Judge Bartick ordered that any
20 objections to the R&R be filed by September 26, 2014. Williams has filed no objections.

21 “The court shall make a de novo determination of those portions of the [R&R] to which
22 objection is made.” § 636(b). Moreover, § 636(b)(1) does not require some lesser review by
23 the district court when no objections are filed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).
24 The Ninth Circuit has determined that the “statute makes it clear that the district judge must
25 review the magistrate judge’s findings and recommendations de novo *if objection is made*.”

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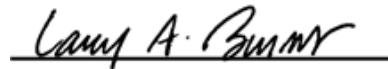
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1 but not otherwise." *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
2 (en banc) (emphasis in original).

3 The Court has reviewed the R&R and finds it correct. The R &R is **ADOPTED** and the
4 petition is **DENIED**.

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6 **IT IS SO ORDERED.**

7 DATED: February 13, 2015

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9 **HONORABLE LARRY ALAN BURNS**
10 United States District Judge

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